

NEW Chapter 463 - XX Site Restoration

WAC - 463-XX-XXX Purpose and Intent

The purpose of this chapter is to ensure that an adequate funding mechanism is obtained to ensure that sites approved under RCW 80.50 are returned to a condition that approximates that which existed prior to the construction of the energy facility, or consistent with the provisions of local land use designations, conditioned such that the site will provide for useful activity commensurate with the immediate surrounding area at the time of commencing the site restoration activities.

WAC 463-XX-XXX Site Restoration Plan

(1) Ninety days prior to the beginning of site preparation, the certificate holder shall submit a site restoration plan. The site restoration plan shall:

(a) be prepared in sufficient detail to identify, evaluate, and ~~resolve~~ describe all anticipated major environmental, and public health and safety issues presently anticipated;

- (b) describe the process used to evaluate the options and select the measures that will be taken to restore or preserve the site or otherwise protect all segments of the public against risks or danger resulting from the site;
- (c) include a discussion of economic factors regarding the costs and benefits of various restoration options versus the relative public risk be prepared in detail commensurate with the time until site restoration is to begin.
- (d) include the scope of proposed monitoring of the plan;
- (e) describe the assumptions underlying the plan, for example, the anticipated useful life of the facility and the anticipated time frame of site restoration, and the anticipate future use of the site;
- (f) include an initial plan for demolishing facilities, salvaging equipment, and disposing of waste materials;
- (g) describe the initial plan for restoring the site to a reasonable approximation of its original condition prior to construction, including the removal of structures and foundations and regrading of the site, if appropriate;
- (h) provide financial assurances to ensure that funding is available and sufficient for site restoration and preservation of mitigation sites. Such financial assures shall include evidence of pollution liability insurance coverage in an amount no less than ten million dollars (\$10,000,000), and

a site closure bond or other financial instrument or security in an amount justified in the initial site restoration plan.

- (i) include provisions for retaining systems owned and operated by third parties;
 - (j) if the site is not proposed to be restored, include provisions for retaining and protecting mitigation sites which were required mitigation for on-site impacts;
 - (k) if appropriate, include provisions for restoration of the electrical transmission line and natural gas pipeline corridors.
- (2) Prior to beginning site preparation, the certificate holder must obtain approval from the council of the site restoration plan, including, but not limited to, approval of the amount, type and issuer of the site closure bond, or other financial instrument or security.
- (3) Site preparation means any of the following activities: clearing, grading, filling, pre-loading, surcharge fill placement, excavation, and preparation of lay down areas, as they apply to all areas of the site, the makeup water supply pipeline lateral, the access or service roads, and if located on the site, those sections of the natural gas pipeline lateral and the electrical transmission line interconnection.